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10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA

12 CALVIN J. LEAVY, JR., ) 1:05-CV-00314 LJO SMS HC  
13 Petitioner, ) ORDER ADOPTING FINDINGS AND  
14 ) RECOMMENDATION  
15 v. ) [Doc. #21]  
16 ) ORDER DENYING PETITION FOR WRIT  
17 R. KIRKLAND, ) ORDER DIRECTING CLERK OF COURT  
18 Respondent. ) TO ENTER JUDGMENT

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20 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus  
21 pursuant to 28 U.S.C. § 2254.

22 On December 6, 2006, the Magistrate Judge issued [Findings and Recommendation](#) that  
23 recommended the petition be DENIED. The Findings and Recommendation was served on all parties  
24 and contained notice that any objections were to be filed within thirty (30) days of the date of service  
25 of the order.

26 On January 12, 2007, Petitioner filed [objections](#) to the Findings and Recommendation.

27 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de*  
28 *novo* review of the case. Having carefully reviewed the entire file and having considered the

1 objections, the Court concludes that the Magistrate Judge's Findings and Recommendation is  
2 supported by the record and proper analysis, and there is no need to modify the Findings and  
3 Recommendations based on the points raised in the objections.

4 Accordingly, IT IS HEREBY ORDERED that:

5           1. The Findings and Recommendation issued December 6, 2006, is ADOPTED IN FULL;  
6           2. The Petition for Writ of Habeas Corpus is DENIED; and  
7           3. The Clerk of Court is DIRECTED to enter judgment in favor of Respondent.

8 || IT IS SO ORDERED.

9 Dated: March 29, 2007  
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**/s/ Lawrence J. O'Neill**  
UNITED STATES DISTRICT JUDGE